

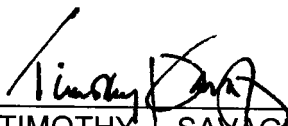
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|-----------------------------|---|--------------|
| CLINTON DRIVER | : | CIVIL ACTION |
| | : | |
| v. | : | NO. 09-4444 |
| | : | |
| JEFFREY BEARD, <i>et al</i> | : | |

ORDER

AND NOW, this 20th day of September, 2010, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 9), the Petitioner's Reply Brief to respondents' answer (Document No. 10), the Response to Petitioner's Reply (Document No. 11), the Report and Recommendation filed by United States Magistrate Judge Thomas J. Reuter, and the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Thomas J. Reuter is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.


TIMOTHY J. SAVAGE, J.